

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HARRISON PRESTON

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*

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v.

Civil No. JFM-12-50

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STEVEN D. BELL

MEMORANDUM

Plaintiff has brought this action for employment discrimination.¹ Plaintiff is appearing *pro se*. Discovery has been conducted, and defendant has filed a motion for summary judgment. Plaintiff has responded to the motion, and defendant has filed a reply. The motion will be granted.

Plaintiff is African-American. He asserts that he was discriminated against during the course of his employment and that he was eventually discharged because of his race. Defendant has articulated a legitimate, nondiscriminatory reason for its termination of plaintiff's employment, specifically what defendant perceived as defendant's poor job performance. In light of that articulation, the burden is upon plaintiff to show that this reason is pretextual. *See Texas Dep't of Cmty. Affairs v. Burdine*, 450 U.S. 248, 252-53 (1981). Plaintiff has not done so. All he has proffered is his own assessment that he was performing satisfactorily, and such a self-evaluation is not sufficient to establish a genuine dispute of fact. *See Nichols v. Comcast Cablevision of Maryland*, 84 F. Supp. 2d 642, 651 (D. Md. 2000). Moreover, plaintiff has not

¹ It is not entirely clear against whom plaintiff is pursuing his claim. The originally named defendant is Steven D. Bell, who was not named as a respondent in the administrative charge. Plaintiff now asserts his claim against Mr. Steven D. Bell, owner Bell Partners/The Greens at Hilton Run. In light of plaintiff's *pro se* status, I will address the merits of his claim rather than the technicality that he may have named the wrong defendant.

demonstrated that any non-African-American employees in circumstances similar to his own were treated better than he was.

A separate order granting defendant's motion for summary judgment is being entered herewith.

Date: December 21, 2012

_____/s/
J. Frederick Motz
United States District Judge